IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION Nos. 5992 OF 2004, 7501 OF 2004, 14139 OF 2003, 16421 OF 2003, 16422 OF 2003, 18195 OF 2003 AND 26642 OF 2003.

WRIT PETITION No. 5992 OF 2004.

Between:

1. K.Akhila Vani, D/o K.Thirumala Chari,
R/o. APSWR Jr.College (G), Chinna Chowk, Kadapa District.
2.Singam Setty Vijaya Lakshmi, D/o S.Lakshmaiah,
R/o. APSWR Jr College (G), Chinna Chowk, Kadapa District.
3.Y.Lakshmana Kumar, S/o Veeraju,
R/o. Door No.23-6-18, Pindirroluvari Street, Kakinada,

East Godavari District. **..... PETITIONERS**

AND

1.The Government of Andhra Pradesh, rep.by its

Principal Secretary to Government, Social Welfare Department, Secretariat, Hyderabad.
2.The Andhra Pradesh Social Welfare Residential Educational Institutional Society, rep.by its Secretary,
Social Welfare Offices Complex, Masab Tank, Hyderabad.
3.The Andhra Pradesh Social Welfare Residential Jr.College, Chinna Chowk, Kadapa, rep.by its Principal.

4.The Andhra Pradesh Social Welfare Residential College, Rudravaram, Machilipatnam, Krishna District.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order or direction or Writ more particularly one in the nature of Writ of Mandamus declaring action of the respondents in not absorbing the petitioners in the regular vacancies in terms of Clause SSO.40/96 is illegal and arbitrary; (ii) declaring the notification No.R1/20591/2002 dated 30-06-2003 and consequential selection of the candidates for recruitment of resident teachers (trained Graduate Teachers) on regular basis before regularization of the contract teachers who have put in 5 years and above service is illegal and arbitrary; (ii) direct the respondents to regularize the contract teachers including the petitioners 2 to 15 in terms of SSO.No.40 of 1996 dated 17-12-1996 in the existing regular posts of Resident Teachers (Trained Graduate Teachers).

Counsel for the Petitioners : Mr.G.RAVI MOHAN

Counsel for the Respondent No.1: G.P. FOR SOCIAL WELFARE

Counsel for the Respondent Nos.2 to 4 : Mr. VIJAY BHASKAR MOOLA,

S.C. for APSWREIS.

WRIT PETITION No. 7501 of 2004.

Between:

1.Smt.K.Kavitha Sharvanthi, D/o.K.Bala Swamy,

R/o.Wanaparthi, Mahbubnagar Dist.

2.Dr.K.Parameswari,W/o.P.Vasudeva Chari,

Hindi Pandit, A.P.S.W.R.School & College,

Kasagarden, Srikalahasti, Chittoor Dist.

..... PETITIONERS

AND

1.The Government of Andhra Pradesh rep. by its Principal Secretary to

Government, Social Welfare Department, Secretariat, Hyderabad.
2.The Andhra Pradesh Social Welfare Residential Educational Institutional Society rep. by its Secretary, Social Welfare Offices Complex, Masab Tank, Hyderabad.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction or writ more particularly one in the nature of writ of Mandamus declaring action of the respondents in not absorbing the petitioners in the regular vacancies in terms of Clause SSO.40/96 is illegal and arbitrary; ii) declaring the notification No.R1/20591/2002 dated 30--6-2003 and consequential selection of the candidates for recruitment of resident teachers (Trained Graduate Teachers) on regular basis before regularization of the contract teachers who have put in 5 years and above service is illegal and arbitrary ; iii) direct the respondents to regularize the contract teachers including the petitioners 2 to 15 in terms of SSO No.40 of 1996 dated 11-12-96 in the existing regular posts of Resident Teachers (Trained Graduate Teachers).

Counsel for the Petitioners :Mr.G.RAVI MOHAN

Counsel for the Respondent No.1: G.P. FOR SOCIAL WELFARE

Counsel for the Respondent No.2 : Mr. VIJAY BHASKAR

MOOLA, S.C. for APSWREIS.

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WRIT PETITION No.14139 of 2003

Between:

1.D.Shakila Niraj, D/o.D.Venkata Ratnam,
R/o. Balisimudi post, Puntha Street,
Bhimavaram West Godavari Dist.
2. P.S.Florence, S/o. P.Sundara Rao.
3. D.Satya Venkata Ramana, S/o. D.Satya Narayana.
4. D.Savithri, D/o.D.S.Krishna.
5. V.Pushpa Latha, D/o.V.Tarjan.
6. K.Mangayya Naidu, S/o.K.Satyanarayana.
7. C.S.V.Achyuta Sarma, S/o. C.V.Kanka Durgaiah.
8. D.Chandra Paul, S/o. D.Daniel.
9. A.Sudhakar Babu, S/o.A.Shankar Rao.
10.Kaza Ramesh Kumar, S/o. Laxminarayana.
11.D.Laxmi Narayana, S/o. D.Sri Sailam.
12.D.Singaraiah, S/o. DVSN Murthy.

13.T.Samba Murthy, S/o.T.Ramesh
14.G.S.Sadguna, W/o.N.Vijaya Bhaskar Rao.

(Petitioners 2 to l4 are residents of Balisimudi Post, Puntha Street, Bhimavaram, West Godavari District.)

..... PETITIONERS

AND

1.The Government of A.P., rep.by its Principal Secretary to Govt.
Social Welfare Department, Secretariat, Hyderabad.
2.The Andhra Pradesh Social Welfare Residential Educational Institutional Society, rep.by its Secretary, Social Welfare Offices Complex, Masab Tank, Hyderabad.
3. A.P.State Social Welfare Residential High School, rep.by its Principal,
Rajamundry, West Godavari Dist.
4.A.P.State Social Welfare Residential High school, rep.by its Principal,
Rudrawaram, Krishna Dist.
5.A.P.State Social Welfare Residential High School, rep.by its Principal,
Pedavegi, West Govadari Dist.
6.A.P.State Social Welfare Residential High School, rep.by its Principal,
Nandigama Krishna Dist.
7.A.P.State Social Welfare Residential High School, rep.by its Principal,
Mallavaram, East Godavari Dist.
8.A.P.State Social Welfare Residential High School, rep.by its Principal
L.N.Puram, East Godavari Dist.
9.A.P.State Social Welfare Residential High School, rep.by its Principal
Devarakonda, Nalgonda Dist.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction or writ more particularly one in the nature of writ of Mandamus declaring action of the respondents in not absorbing the petitioners in the regular vacancies in terms of clause SSO.40/96 is illegal and arbitrary, (ii) declaring the notification No.R1/20591/2002 dated 30-6-2003 and consequential selection of the candidates for recruitment of resident teachers (Trained Graduate Teachers) on regular basis before regularization of the contract teachers who have put in 5 years and above service is illegal and arbitrary; (iii) direct the respondents to regularize the contract teachers including the petitioners 2 to 15 in terms of SSO.No.40 of 1996 dated 11-12-96 in the existing regular posts of Resident Teachers (Trained Graduate teachers).

Counsel for the petitioners: Mr. G.RAVIMOHAN.

Counsel for the Respondent No.1: G.P. FOR SOCIAL WELFARE

Counsel for the Respondent Nos. 2 to 9 : Mr. VIJAY BHASKAR

MOOLA, S.C. for APSWREIS.

WRIT PETITION No. 16421 of 2003

Between:

1. M. Vijaya Bharathi, W/o. Vinod Goud, aged 32 years,
C/o R/o H. No. 19-60/1, Venkatashwara Colony, Shadnagar,

Mahaboob Nagar District.
2. M. Sharada Devi, W/o. B. Prasadha Rao
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
3. C. Prashantha d/o C. Bal Reddy,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar

Mahaboob Nagar District.
4. T. Jyothy w/o Venkat Reddy,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar,

Mahaboob Nagar District.

5. B. Malathi W/o Vema reddy
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
6. K. kishore S/o K. Ramana Narsimham,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
7. G.L.S. Madan Mohan s/o Narasimha Rao,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
8 G. Venkat Naidu, s/o G. Venkatesh,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
9. B. Sreenivasachary S/o Narayana chary
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
10.Shiela Priya Darshani D/o D. Krupanadam,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
11.S. Suneetha D/o late S Simon,

C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar Mahaboob

Nagar District.
12. A. Mythili,D/o A.B. Sankaram,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar

Mahaboob Nagar District)
13. M. Mamatha, D/o Tirupataiah,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar

Mahaboob Nagar District.
14. Smt. P. Shoba, D/o Raja Ratnam,C/o. R/o.H.No.19-60/1,

Venkatashwara Colony Shadnagar,

Mahaboob Nagar District.
15. P.Vijaya Amruth Kumar S/o Sangappa,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar,

Mahaboob Nagar District.
16. P. Vasundara D/o P. Purshotham Rao,
C/o R/o H. No. 19-60/1, Venkatashwara Colony Shadnagar

Mahaboob Nagar District)
17. Smt. C. Lalitha Kumari W/o Gangi Reddy,
R/o Chintha parthi (P) Vailalpadu (M) Chittoor District.
18. B. Prasanna Kumari,D/o B. Anjaneyulu,
r/o Qr. No. E-6, 6/4A, 220 K.V.Sub- Station, Shankarapuram,
Cuddapah.

19. Sammu, S/o.Mothi Ram, R/o.H.No.2-98,Komatipally Tanda,

Hasnparthi (M), Bheemaram,(P), Warrangal District.

20. Bonala Ram Narasaiah, S/o.Maisaiah, R/o.Barrakeethagudem,

Mungala (M), Nalgonda District.

21. G. Nagaratnamma, W/o M. Chenna Keshava Murthy,
Teacher (B. Sciences), C/o D. Ananda Raju, Art Teacher, H. No.
3-1645, Siyon puram, Near Beraka Church, Cuddapah District.

22. N. Vijaya Bhaskar s/o N. Krishna Murthy,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon Puram,

Near Beraka Church, Cuddapah District.

23. S.J. Arun kumar, s/o S. Daneial
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram,

Near Beraka Church, Cuddapah District.

24. B. Sri Sudha w/o P.V.Seshikantha,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram,

Near Beraka Church, Cuddapah District.

25. Y. Reddy Sri, w/o K. Govardhan Reddy,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram,

Near Beraka Church, Cuddapah District.
26. A. Sudha Rani, W/o Vishwa Mohan Reddy,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram,

Near Beraka Church, Cuddapah District.
27. P. Mallikarjuna, S/o P.Tayamma,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.
28. G. Laxmi Narasamma, W/o P. Sudarshan Rao
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.
29. D. Ananda Raju s/o D. Daneial,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.
30. J. Ramesh Babu, s/o J. Gurvappa,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.
31. T. Kavitha Rani, C/o D. Ananda Raju, Art Teacher, H. No. 3-1645,

Siyon puram, Near Beraka Church, Cuddapah District.
32. K. Laxmi Narayana s/o K. Girappa
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.
33. S.G. Vara laxmi, D/o ramanuja Chary,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.
34. E. Srinivas, s/o Venkata Ramaiah,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.
35. V. Baleshwaraiah, S/o Bal Kumar,
C/o D. Ananda Raju, Art Teacher, H. No. 3-1645, Siyon puram, Near Beraka Church, Cuddapah District.

…. **PETITIONERS.**

AND

1. The Government of Andhra Pradesh,Rep. by its Principal Secretary to Government, Social Welfare Department, Secretariat, Hyderabad.
2. The Andhra Pradesh Social Welfare Residential

Educational Institutional Society rep. by its Secretary, Social Welfare,

Offices Complex, Masab Tank, Hyderabad.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue an order or direction or Writ more particularly one in the nature of Writ of mandamus declaring action of the respondents in not absorbing the petitioners in the regular vacancies in terms of Clause SSO. 40/96 is illegal and arbitrary (ii) declaring the notification No. R1/20591/2002 dated 30-6-2003 and consequential selection of the Candidates for recruitment of resident teachers (trained Graduate Teachers) on regular basis before regularization of the contract teachers who have put in 5 years and above service is illegal and arbitrary (iii) direct the respondents to regularize the contract Teachers including the petitioners 2 to 15 in terms of SSO. No. 40 of 1996 dated 11-12-96 in the existing regular posts of resident Teachers (trained Graduate Teachers).

Counsel for the Petitioners :Mr.G.RAVI MOHAN.

Counsel for the Respondent No.1: G.P. FOR SOCIAL WELFARE

Counsel for the Respondent No.2 : Mr. VIJAY BHASKAR

MOOLA, S.C. for APSWREIS.

WRIT PETITION No. 16422 of 2003

Between:

1. J. Gopal s/o Ashanna,
   C/o B. Yadaiah R/o H. No. 1-4-249/50/2, Balajinagar,
   Near New Bus Stand, Suryapet (P) & (M), Nalgonda District.
2. B. Yadaiah S/o Yallaiah, C/o.B.Yadaiah,
   R/o H. No. 1-4-249/50/2, Balajinagar,
   Near New Bus Stand, Suryapet (P) & (M), Nalgonda District.
3. V. Naga Joythi W/o V. Kama Raju Babu,
   C/o B. Yadaiah R/o H. No. 1-4-249/50/2, Balajinagar,
   Near New Bus Stand, Suryapet, (P) & (M), Nalgonda District.
4. V.V. Bramhendra Rao, S/o V. Chiranjiva Rao,
   C/o B. Yadaiah R/o H. No. 1-4-249/50/2, Balajinagar,
   Near New Bus Stand, Suryapet, (P) & (M), Nalgonda District.

……PETITIONERS.

AND

1. The Government of Andhra Pradesh, rep by its Principal Secretary to Government, Social Welfare Department, Secretariat, Hyderabad.
2. The Andhra Pradesh Social Welfare Residential Educational

Institutional Society rep. by its Secretary, Social Welfare Officers

Complex, Masab Tank, Hyderabad.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction or writ more particularly one in the nature of Writ of Mandamus declaring action of the respondents in not absorbing the petitioners in the regular vacancies in terms of Clause SSO 40/96 is illegal and arbitrary (ii) declaring the notification No. R1/ 20591/2002 dated 30-6-2003 and consequential selection of the candidates for recruitment of resident Teachers (Trained Graduate Teachers) on regular basis before regularization of the contract teachers who have put in 5 years and above service is illegal and arbitrary, (iii) direct the respondents to regularize the contract teachers including the petitioners 2 to 15 in terms of SSO. No. 40 of 1996 dated 17-12-96 in the existing regular posts of Resident Teachers (Trained Graduate Teachers).

Counsel for the Petitioners : Mr.G.RAVI MOHAN

Counsel for the Respodent No.1: G.P. FOR SOCIAL WELFARE.

Counsel for the Respondent No.2: Mr.VIJAYA BHASKAR MOOLA

S.C. for APSWREIS.

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WRIT PETITION No. 18195 of 2003.

Between:

1. P. Sumalatha, W/o. Durga Rao, Hindu,
   Kollivalasa, Srikakulam District.
2. M. Venkateswara Naidu, S/o. Narayana, Hindu,
   Kopperla, Vizianagaram District.
3. S.S.S. Rangamani, D/o. S.V. Ramanujacharyulu, Hindu,
   Palakonda, Srikakulam District.
4. P. Prasanna Kumar, S/o. Bhushana Deo, Hindu,
   Baddangi, Vizianagaram District.
5. K. Rama Lakshmi, D/o. K. Satyam Naidu, Hindu,
   Etcherla, Srikakulam District.
6 M. Uma Maheswar Rao, S/o. Raja Rao, Hindu, Baddangi, Vizianagaram District.
   (All the Petitioners are working in their respective posts in Schools

and junior colleges run by A.P.S.W.R.E.I.Society.)

(Cause title of Petitioner No.6 amended as per Court Order dated 20.1.2004 in WPMP 153/2004).

..... PETITIONERS.

AND

1. Government of Andhra Pradesh, Rep. by its Principal Secretary,

Social Welfare Department, Secretariat, Hyderabad.

2. The A.P. Social Welfare Residential Educational Institutions

Society (Regd.), Rep. by its Secretary, Govt. of the A.P.,
Hyderabad.

3. The Principal, A.P. Social Welfare Residential Educational

School/College, Kollivalasa, Srikakulam District.

4. The Prinicpal, A.P. Social Welfare Residential Educational

School/College, Kopperla, Vizianagaram District.

5. The Principal, A.P. Social Welfare Residential Educational

School/College, Palakonda, Srikakulam District.

6. The Principal, A.P. Social Welfare Residential Educational

School/College, Badangi, Vizianagaram District.

7. The Principal, A.P. Social Welfare Residential Educational

School/College, Etcherla, Srikakulam District.

...RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ, order or direction particuarly a writ in the nature of Mandamus directing the respondents to regularize the services of the petitioners in their respective posts in the light of standing order No. 40/96 and other existing rules and various pronouncements of the Courts forthwith by extending all monetary and other service benefits to the petitioner from the date of their joining in the service of the 2nd respondent's institutions with all consequential and attendant benefits.

Counsel for the Petitioner: Mr.B.M.PATRO

Counsel for the Respondent No.1. : G.P. FOR SOCIAL WELFARE

Counsel for the Respondent Nos.2 to 7: Mr.VIJAYA BHASKAR

MOOLA, SC FOR

APSWREIS

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WRIT PETITION No.26642 of 2003

Between:

1. M. Premalatha, W/o Dharma Raju,
Teacher (RT-Telugu) R/o H. No. 1-1-75/17, Vadagiribagh Vinayak

Nagar, Nizamabad, Nizamabad District
2. Y. R. Sri Ramulu, S/o late Kaullaiyappa,
Teacher, (PGT-Commerce), R/o H. No. 26-609, NI, Hanif Nagar,
Near SPG Ground, Nandyal, Kurnool District.
3. P.S. Venkateshwari, w/o. A. Hanumanthappa,
Teacher (RT-Telugu) R/o 18-111, Sri Laxmi Nagar, B. Camp, Kurnool.

... PETITIONERS.

AND

1. The Government of Andhra Pradesh, rep. by its Principal Secretary to Government, Social Welfare Department, Secretariat, Hyderabad.

2. The Andhra Pradesh Social Welfare Residential Educational Institutional Society, rep. by its Secretary, Social Welfare Offices Complex, Masab Tank, Hyderabad.

...RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction or writ more particularly one in the nature of Writ of Mandamus declaring action of the respondents in not absorbing the petitioners in the regular vacancies in terms of Clause SSO. 40/96 is illegal and arbitrary (ii) declaring the notification No. R1/20591/2002 dated 30-6-2003 and consequential selection of the candidates for recruitment of resident teachers (trained Graduate Teachers) on regular basis before regularization of the contract teachers who have put in 5 years and above service is illegal and arbitrary (iii) direct the respondents to regularize the petitioners herein in terms of SSO. No. 40 of 1996 dated 11-12-1996 in the existing regular posts of resident Teachers (Trained Graduate Teachers).

Counsel for the Petitioner: Mr.G.RAVI MOHAN

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.2: MR.VIJAYA BHASKAR MOOLA

SC FOR APSWREIS.

The Court made the following :

COMMMON ORDER:

Both the counsel submit that earlier this Court disposed of similar writ petitions following the judgment of a Division Bench of this Court in Writ Appeal No.350 of 2004, dated 23-2-2004, and, therefore, these writ petitions may also be disposed of in terms of the said judgment.

In view of the same, the writ petitions are disposed of directing the Government to consider the proposals submitted by the Society for regularization of the petitioners in existing vacancies by suggesting a formula or a scheme and such a decision should be taken within a period of three months from the date of receipt of a copy of this order and the same shall be communicated to the Society thereafter, so as to avoid unnecessary hardship to the Teachers employed on contract basis. No order as to costs.

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24th August 2004. **(V. ESWARAIAH, J.)**

ARS

To

1. Secretary A.P. Social Welfare Residential Educational Institutions Society(Regd), Masab Tank, Hyderabad.
2. Principal Secretary Government of Andhra Pradesh, Social Welfare

Department, Secretariat, Hyderabad .

3.Two C.Cs to Govt. Pleader for Social Welfare, High Court Bldgs., Hyderabad (OUT).

4.Two C.D. Copies.